SIKKIM

GOVERNMENT GAZETTE

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GOVERNMENT OF SIKKIM
DEPARTMENT OF PERSONNEL
GANGTOK

No. 33/GEN/DOP **Dated: 03/04/2025**

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Sikkim, in consultation with the High Court of Sikkim, hereby makes the following rules further to amend the Judicial Officers (Allowances, Amenities and Advances) Rules, 2004, namely:-

Short title and commencement	1.	(1)	These rules may be called the Judicial Officers (Allowances, Amenities and Advances) (Amendment) Rules, 2025.
		(2)	They shall be deemed to have come into force from the 1st day of January, 2016 and different dates may be given for different provisions of these rules.
Insertion of rule 2A	2.	In the Judicial Officers (Allowances, Amenities and Advances) Rules, 2004 (hereinafter referred to as the "said rules"), after rule 2, the following new rule shall be inserted, namely:- "2A. Definitions:- In these rules, unless the context otherwise requires,- (a) "Family" means:- (i) The Judicial Officer's wife or husband and two surviving unmarried children or stepchildren wholly dependent on the Judicial Officer; (ii) Married daughters, divorced, abandoned or separated from their husband and widowed daughters wholly dependent on the Judicial Officer. (iii) Parents and /or step parents (stepfather and stepmother) wholly dependent on the Judicial Officer; (iv) Unmarried minor brothers as well as unmarried, divorced, abandoned, separated from their husbands or widowed sisters wholly dependent on the Judicial Officer;	

		(b) "Principal District Judge" shall meanand include "the District Judge" of the relevant District.
Amendment of rule 4,	3	In the said rules, in rule 4, in sub rule (3), after the words "yearly basis", the following shall be inserted, namely:- "by the Establishment section to the Court where the Judicial Officer is posted at the relevant time."
Amendment of rule 8,	4	In the said rules, in rule 8,- (1) in sub rule (2), in the second sentence, for the article "a", appearing after the words "where there is" and before the words "existing practice", the article "an" shall be substituted; (2) in sub rule (3), in the Table, for the word "Wheler", the word "Wheeler" shall be substituted.
Amendment of rule 10,	5	In the said rules, for existing rule 10, the following shall be substituted, namely:- "(10) The Judicial Officers, serving, retired and their family members shall be entitled to reimbursement of the medical expenses which includes expenses of treatment, charges for accommodation, medical attendance etc. as under:- (1) Fixed medical allowance of Rs. 3000/- per month shall be payable to the serving Judicial Officers with effect from 01.01.2016; (2) Fixed medical allowance of Rs. 4000/- per month shall be payable to the pensioners and family pensioners with effect from 01.01.2016; (3) The spouse or other dependants of Judicial Officers shall also be eligible for medical facilities/ reimbursement at par with the pensioners of the judiciary; (4) The necessity of reference from Medical Officer /Board of a Government Hospital shall be dispensed with and the Judicial Officers shall be entitled to have consultation or treatment in the Government notified/ empanelled private Hospitals/ Pathology Laboratory and seek reimbursement by submitting the bills as per the usual procedure; (5) The Principal District Judge in case of all the Magistrates and the Registry of the High Court, in case of Principal District Judge, shall be empowered to address credit letters to the concerned Hospitals where the Judicial Officers or Pensioners or family pensioners have been or is to be admitted as inpatient; (6) The expenditure incurred towards inpatient treatment or for serious ailments requiring more or less continuous treatment shall be processed and sanctioned by the Principal District Judge or by the Registry of the High Court as the case may be;

		(7) In case of emergency, Judicial Officers, serving or retired as well as family pensioners can take treatment in any nearest private Hospital, not necessarily Government notified Hospitals and seek reimbursement as per usual procedure; (8) On submission of estimate given by the recognized/ empanelled hospital, 80% amount shall be sanctioned as advance, subject to preliminary scrutiny by the Principal District Judge. The balance shall be reimbursed on certification by the designated Chief Medical Officer or the Medical Board. Further, if the Government approved rates are not available for any particular item, the certifying officer shall have due regard to the rates generally charged in the Hospital concerned; (9) Retired Judicial Officers and the family pensioners who have settled down in another State shall have the facility to claim medical reimbursement or advances from the State from which he or she is drawing pension or family pension; (10) The cost of treatment including room charges or tests undergone in any Government or Government notified or recognized Hospitals or Pathology or Laboratory in case of emergency or otherwise shall be reimbursed to the serving Judicial Officers on tour (Official or private purpose) to another State or settled in another State after retirement even though it is not a recognized Hospital / Laboratory in the State in which the officer is serving or had served."
Amendment of Rule 11	6	In the said rule, in rule 11,- (a) in sub rule (4), the words namely "Ashoka Travels, Balmer and Lawrie and IRCTC" to be omitted; (b) sub rule (8) shall be omitted.
Amendment of rule 14	7	In the said rules, in rule 14, sub-rules (4) and (5) shall be omitted.
Amendment of rule 16	8	In the said rules , in rule 16,- (a) for existing sub-rule (3) and entries relating thereto, the following shall be substituted, namely:- "(3) FURNITURE AND AIR CONDITIONER ALLOWANCE: (a) Furniture grant of Rs. 1.25 lakhs every five years shall be provided w.e.f. 1.10.2020 to the Judicial Officer subject to production of proof of purchase by the Judicial Officer. Household electrical appliances can also be purchased by availing of the said grant. The Officers having not less than two years of service will also be eligible for this allowance. The option to purchase the furniture being used by the officer at the depreciated rate shall be available at the time of fresh grant or retirement.

		(b) Apart from the furniture grant, one air-conditioner of capacity of maximum 2 ton shall be provided at the residence of every Judicial Officer once in every five years. (c) An amount of Rs. 10,00,000/- (Rupees Ten Lakhs) shall be made available to each Principal District Judge on the basis of a proposal sent by the Registry of the High Court for the proper maintenance of the residential quarters. The Government shall sanction the amount proposed within two months from the date of the receipt of the proposal. (d) If there is no Guest House or Transit Accommodation available for Judicial Officers in places where they are transferred to preside over Courts, one room in the Government Guest House shall be earmarked as Transit Accommodation, till such time the Judicial Officer is provided with Government Accommodation by the concerned Department or requisitioned private accommodation in terms of recommendation of the Second National Judicial Pay Commission."
Amendment of rule 23	9	In the said rules, In rule 23, in the sub rule (7), for the word "distend", the word "distance" shall be substituted.
Omission of rule 24	10	In the said rules, rule 24 shall be omitted.

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DEPARTMENT OF PERSONNEL
(File No. J (100)/ GEN/DOP)